DETAILED ACTION

1. This communication is a supplemental action to the Office Action dated 3/12/2009 to correct certain inaccuracies unintentionally made in the previous Office Action. The Examiner would like to apologize the Applicant for the delay in providing this replacement Office Action. The prior Office Action has been removed form the file as requested and a new time period starts from mailing of this Office Action.

Response to Arguments

2. Applicant's arguments dated 1/5/2009 with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

The main issue raised during the telephone interview dated 5/14/2009 regarding the claimed (automatic) “input mode selector", which was previously rejected by the Muurinen reference, is now addressed by using a new prior art, Zhao et al. U.S. Pub 2002/0054676 (see rejection below).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-7 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muurinen U.S. Patent 5,408,060 in view of Zhao et al. U.S. Pub. 2002/0054676.

Regarding claims 1, 3-5 and 11, Muurinen teaches a mobile device for executing at least two applications (implied, applications involved the use of alphanumeric characters such as text messaging or numeric characters, calculating), having a keyboard (figure 7, unit 14); Said keyboard having a plurality of keys (see figure 7), each of the keys having at least two pre-existing indicia depicted thereon (see figures 1 through 4b); a backlight controller (see figures 8-13 and columns 3-4) responsive to the active input mode provided by an input mode selector (Figure 7, unit 16) for controlling at least one light source to selectively illuminate one of the at least two pre-existing indicia on the plurality of keys, the illuminated indicia defining an active portion of the keyboard of the mobile device (see columns 3-4).

Muurinen, however, teaches an input mode selector (figure 7, unit 16) so that a desired application (applications involved the use of alphanumeric characters such as text messaging or numeric characters, calculating) can be **manually** selected by the user; instead of (**automatic**) selection, **from one of the at least two applications**, a signal indicative of a default active input mode **in response to execution of the one of the at least two applications**.

Zhao et al., in the same field of endeavor, teaches a mobile device for executing at least two applications. Said mobile device has a keyboard having a plurality of keys, each of the plurality of keys having at least two pre-existing indicia (see figures 1-3;

characters and numerical symbols). Said mobile device also has an input mode selector for (**automatic**) **receiving from one of the at least two applications**, a signal indicative of a default active input mode **in response to execution of the one of the at least two applications** and **for determining an active input mode of the keyboard** of the mobile device in accordance with the received signal indicative of the default active input mode (see paragraph [0020], [0022], [0029] **and [0032]**).

Since both teachings of Muurinen and Zhao et al. pertain to entry of data in a communication device (phone) which involve entry of numbers and characters on keys; and Muurinen teaches the problem of having two indicia on keys on a phone device and uses the illumination of portions of the keys to solve the problems; Thus, Muurinen teaches/suggests the solution to the same problem found on the keyboard taught by Zhao et al; and Zhao et al. teaches that the mode switching does not have to be manually actuated but **may be done automatically**; Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to alternatively provide to the mobile device of Muurinen an (automatic) input mode selector for (automatic) **receiving from one of the at least two applications**, a signal indicative of a default active input mode **in response to execution of the one of the at least two applications** and **for determining an active input mode of the keyboard** of the mobile device in accordance with the received signal indicative of the default active input mode, as suggested by Zhao et al., so that explicit or manual mode selection of said mobile device can be alternatively substituted by said (automatic) mode selection, as explained above.

Regarding claim 2, Muurinen also teaches wherein the input mode selector determines the active input mode in response to actuator of one of a toggle key and a function key (Figure 7, function key 16).

Regarding claim 6, Muurinen also teaches the at least one light emitting diode being connected to the keyboard by at least one light pipe (column 6 lines 24-25 and figures 9-10, unit 19).

Regarding claim 7, the active portion disclosed by Muurinen is also illuminated using a different illumination level than a non-active portion of the keyboard (column 3, lines 11-66). Even though, Muurinen does not specifically teach using a different **single color** illumination level for the active portion than a non-active portion of the keyboard, however, one of ordinary skill in the art would recognize that using different illumination levels of a single color or multiple colors would be functionally equivalent for distinguishing the active and non-active portion(s) of the keyboard. Therefore, by choice of design, it would have been obvious to one of ordinary skill in the art to provide different illumination levels of a single color for the active/non-active portion(s) of the keyboard.

Regarding claim 9, the active portion disclosed by Muurinen is also selectively illuminated using a colored light.

Regarding claim 10, Muurinen also teaches selectively illuminating the active portion using a different color than a non-active portion of the keyboard (column 3, lines 11-66).

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muurinen U.S. Patent 5,408,060 in view of Zhao et al. U.S. Pub. 2002/0054676 and in further view of Adachi et al. U.S. Patent 6,693,272.

Regarding claim 8, Muurinen in view of Zhao et al. teaches the mobile device of claim 1, however, Muurinen in view of Zhao et al. does not specifically teach that the active portion is selectively illuminated using optical cancellation.

Adachi et al. teaches a device wherein optical cancellation method is employed for canceling undesired optical signals to achieve optimal illumination. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide optical cancellation method to the mobile device disclosed by Muurinen in view of Zhao et al., as evidenced by Adachi et al. so that optimal illumination of the desired keys disclosed by Muurinen in view of Zhao et al. can be achieved.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG Q. DANG whose telephone number is (571)272-3069. The examiner can normally be reached on 9:30AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman can be reached on (571) 272-3059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hung Q Dang/
Examiner, Art Unit 2612

/Brian A Zimmerman/
Supervisory Patent Examiner, Art Unit 2612